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TOOLKIT

Title I, Part D, Program Administration Planning



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About the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk

The mission of the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At Risk (NDTAC) is to improve educational programming for youth who are neglected or delinquent. NDTAC's legislative mandates are to develop a uniform evaluation model for State educational agency (SEA) Title I, Part D, Subpart I, programs; to provide technical assistance to States in order to increase their capacity for data collection and their ability to use those data to improve educational programming for youth who are neglected or delinquent; and to serve as a facilitator among different organizations, agencies, and interest groups that work with youth in neglect or delinquent facilities. For additional information on NDTAC, visit the Center's Web site at <http://www.neglected-delinquent.org>.

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Overview

State Title I, Part D, coordinators (State Part D coordinators) and other State agency (SA), local educational agency (LEA), and facility administrators work on a number of annual tasks that involve *planning the administration* of Title I, Part D, programs. Although there are several resources from the U.S. Department of Education (ED) and the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC) that can assist with related tasks, it can be challenging to know where to find all of the applicable requirements and guidance on how to approach each of these tasks.

Following a guide on Federal monitoring—A Guide to Meeting Compliance Requirements for the Title I, Part D, Program—this toolkit represents the second in a series of products NDTAC has developed to address Title I, Part D, administrative challenges. This toolkit focuses on the planning activities for administering the Title I, Part D, program, including conducting needs assessments, developing applications, and reviewing applications.

The goals of this toolkit, and future products in the series, are to provide an overview of the activities involved in each process being highlighted, bring together ED and NDTAC resources by task, and provide hands-on tools to help Part D coordinators comply with Federal Title I, Part D, requirements while implementing each task.



Title I, Part D, Program Administration Planning

Introduction

The primary planning activities State Part D coordinators undertake once they have received their Federal Title I, Part D, funds (Part D funds) for the year from the U.S. Department of Education (ED) are the allocation and administration of the funds to their State agency (SA) and local educational agency (LEA) subgrantees. This toolkit brings together all of the ED requirements found in the Title I, Part D, statute, Federal regulations, and Nonregulatory Guidance and information from diverse ED and NDTAC resources into one comprehensive document on program planning. Since State Part D coordinators also have discretion in how they manage their Title I, Part D, program, this toolkit also provides tools coordinators can reference or customize for their use during the application development, submission, and review processes. In particular, this toolkit includes:

- A description of each task involved in planning the administration of a Title I, Part D, program:
 - Ensuring eligibility to receive funds
 - Allocating funds (including considerations for Title I, Part A)
 - Developing subgrantee applications (including needs assessments and formal agreements)
 - Providing training and technical assistance (T/TA) to applicants
 - Reviewing submitted applications (including evaluating proposed uses of funds)
- A series of related tools:
 - Fund Allocation Resource Index
 - Tool 1: Checklists for Creating and Reviewing Applications
 - Tool 2: Steps to Approve Proposed Uses of Funds
 - Tool 3: Conducting a Needs Assessment
 - Tool 4: Formal Agreement Resources

I. Ensuring Eligibility to Receive Funds

As a first step in the fund allocation process, State Part D coordinators will need to verify which subgrantees are eligible for funding, and subgrantee administrators will need to verify which facilities are eligible to receive funds. Doing so will ensure that Part D funds are allocated in accordance with Federal regulations and the intent of the program. State Part D coordinators can implement a few steps to help with these tasks:

- Address who can be served in the State Plan and in the SA and LEA applications
- Explain to subgrantees, when providing T/TA, which facilities can receive Part D funds and which children and youth can then be served with those funds
- Ensure during the application review process that the children and youth whom subgrantees plan to serve are in fact eligible to be served and continue to be eligible over time

It is important for State Part D coordinators to be aware that the eligibility requirements to receive Part D funds are different for both SAs and LEAs than the eligibility requirements for being included in the Annual Count to determine Part D funding *allocations*. It is useful to think of the two eligibility processes separately to avoid confusion. See [Appendix A](#) for a comparison of the eligibility requirements.



2. Deciding How to Allocate Funds

In the final step of the allocation process, after the list of eligible subgrantees has been determined, the funds are distributed. States allocate their Part D funds to SA and LEA subgrantees in various ways. Many States base their allocations on formulas, distributing funds proportionately based on counts of children and youth. Others have discretionary grants, whereby subgrantees compete with each other for the funding. States may also employ a combination of formula and discretionary funding or other methods in allocating funds altogether. Decisions on who to fund may also depend on other programs that the State administers. For example, a State may decide to fund all neglect facilities with the Title I, Part A, reservation and all delinquent facilities with Title I, Part D. (See [Spotlight on the Part A Reservation and Its Relationship With Title I, Part D, by Program Type](#).)

In the end, each State's goal is to distribute Part D funds to educational programs that (a) have the greatest chance of leading to positive outcomes for children and youth who are neglected, delinquent, or at risk (N or D) and (b) afford those children and youth the opportunity to succeed and meet the same challenging standards as expected from their peers in local community schools.

3. Developing Subgrantee Applications

After State Part D coordinators and subgrantee administrators have identified those facilities eligible to receive Part D funds, coordinators will need to prepare SA and LEA applications for funding. In doing so, coordinators need to pay attention to the overall intent of the Title I, Part D, program and how best to fulfill that intent through the provision of services to children and youth who are N or D.

State Part D coordinators need to make sure that SA applications include the 18 Federal requirements ([Section 1414\(c\)](#) of the statute) and that LEA applications include the 13 separate Federal requirements ([Section 1423](#) of the statute). Although these Federal requirements should be the basis for each application developed by the SEA, States have the discretion to include additional components or requirements to their applications.

Using Applications to Enhance Programming

State Part D coordinators are encouraged to use funding applications as a tool for developing and implementing a statewide Part D program focused on creating better educational, transitional, and vocational outcomes for children and youth. Applications can be designed to help elevate programs by requiring subgrantees to:

- Demonstrate how their programs will address the needs of the populations they serve
- Identify program outcomes (i.e., how children and youth will benefit from their program)
- Include a program improvement plan based on outcome data and current and anticipated needs of children and youth

Conducting needs assessments and developing detailed formal agreements are two possible mechanisms for accomplishing these goals.

Needs Assessments

Needs Assessment Requirements

The overarching intent of the Title I, Part D, program is to provide educational services and supports that meet the needs of children and youth who are N or D so that they may achieve at the same levels as children and youth in local community schools. As such, conducting needs assessments are helpful in meeting the following requirements:

Frequency of SA Application Submissions

While ED awards Part D, Subpart 1, funds to States on an annual basis, SAs are not required to apply for those funds every year. The Part D statute allows SEAs to approve SA applications for up to 3 years for those programs in which individual students are likely to participate for more than 1 year ([Section 1417](#)). However, the Title I, Part D, Nonregulatory Guidance specifies that the SEA may still require an SA to update annually information included in its original application if substantial changes occur in the numbers and needs of the students or services to be provided ([Section G-3](#)).

These provisions do not extend to Subpart 2.



- When States receive Part D funds, they are federally mandated to develop a State Plan that describes how the funds will be used to meet the educational needs of the children and youth served by the funds ([Section 1414\(a\)\(1\)\(A\)](#) of the statute).
- When SAs receive Part D, Subpart 1, funds, they are required to describe the procedures used, consistent with the State Plan, to assess the educational needs of children and youth served in their application ([Section 1414\(c\)\(1\)](#) of the statute).
- When SA-funded facilities operate institutionwide projects (IWPs), they are required to develop an IWP plan that provides a comprehensive assessment of the educational needs of all children and youth ([Section 1416](#) of the statute). State Part D coordinators often require facilities to submit those plans as part of the SA application process.
- When LEAs receive Part D, Subpart 2, funds, they are expected to ensure the needs of children and youth in locally-operated correctional facilities¹ and those transitioning back to community schools are served before serving children and youth who are at risk of dropping out of school ([Section 1422\(a\)](#) and [\(d\)](#) of the statute).

Conducting Needs Assessments Throughout Part D Programs

A needs assessment is a process by which programs identify and address the needs, or “gaps,” between current and desired conditions. A needs assessment should guide the development of a comprehensive program plan and help establish benchmarks for evaluating a program. An ideal way to help ensure Part D programs are aimed at meeting the needs of children and youth is for States to require SAs and LEAs to describe within their applications the processes that they undertake to assess those needs. Even without such a requirement, SAs, LEAs, and facilities can benefit from conducting a needs assessment.

Agencies and facilities can take several steps to conduct a needs assessment. These steps are highlighted here, and expanded upon in *Tool 3: Conducting a Needs Assessment*.

1. Identify the scope of the assessment and develop a planning and implementation team.
2. Identify guiding questions that respond to areas of concerns and that will lead to creating an accurate overview of the program.
3. Determine what data need to be collected, how data can be collected, and how data will be analyzed.
4. Analyze the data.
5. Prioritize which needs to focus on first, determine how best to do so, and identify how progress will be evaluated.

Ensuring that subgrantee agencies and facilities undertake a needs assessment process and demonstrate doing so in the application is an important activity that State Part D coordinators should consider in planning for the allocation of Part D funds.

Formal Agreements

Formal Agreement Requirements

Establishing a formal agreement is one of the Title I, Part D, requirements for LEAs that can be overlooked in the development and/or review of applications. A formal agreement—a contract that ensures locally-operated correctional facilities will provide services that align with the Federal program requirements—is required between LEAs and their locally-operated correctional facilities ([Section 1423](#) of the statute).

The Federal government does not require SAs to establish formal agreements with contracted facilities. Nor is there a requirement for LEAs to enter into formal agreements with other locally-operated facilities that are not correctional facilities. However,

¹ Per Section 200.90(c) of the Federal regulations, a locally-operated correctional facility is defined as a facility in which persons are confined as a result of a conviction for a criminal offense, including persons under 21 years of age. It includes a local public or private institution or community day program or school not operated by the State that serves delinquent children and youth.



establishing formal agreements can be helpful to all funded SAs, LEAs, and facilities to set expectations and help ensure compliance.

Using Formal Agreements to Enhance Programming

The main purpose of a formal agreement is to keep expectations clear and create lines of accountability for services. The formal agreement also can serve as another tool to advance educational services. There are two key ways Part D programs can expand upon the formal agreement requirements to elevate programming:

- **Establish formal agreements with other correctional facilities and alternative education programs.** It is beneficial for an agreement to exist between *any* subgrantee—SA or LEA—and *any* entity it funds to provide educational services to children and youth in *any* type of N or D facility.
- **Include additional requirements in formal agreements.** Agreements can specify important additional requirements and expectations, such as staff requirements, reporting and evaluation requirements, fiscal controls, additional expected services, etc.

Even for programs that are not required by ED to have formal agreements (e.g. SA's and LEA neglect programs), by asking service providers to detail programming and by making expectations explicit, providers will become more accountable for their services. Furthermore, formal agreements can be a useful performance and compliance tool, providing subgrantees and States with greater leverage to help ensure that funds are being used appropriately. To communicate the importance of the formal agreement and how it can be used, State Part D coordinators may wish to provide instruction to subgrantees through T/TA.

4. Providing Training and Technical Assistance to Applicants

After applications have been disseminated to eligible SA and LEA subgrantees, State Part D coordinators can provide T/TA to address any questions or concerns that applicants may have. T/TA can take on many forms—from Webinars to onsite conferences to one-on-one phone calls and e-mails. In providing T/TA, State Part D coordinators should be sure to communicate:

- The federally required elements of the funding applications
- Any additional areas that subgrantees should pay attention to in order to completely and accurately fill out the application
- Submission deadlines
- The process for the SEA application review and subgrantee revisions, if relevant

By providing T/TA to subgrantees during the application process, State coordinators are (a) helping to ensure that they will receive the types of applications they hope for from SAs and LEAs and (b) reducing the amount of work for themselves in reviewing the applications.

Making the Most of Formal Agreements

The extent to which State Part D coordinators prescribe the elements of a formal agreement may vary by State. Although some coordinators may specify required elements for a formal agreement in the LEA application, others may allow LEAs to choose which elements to include in their formal agreement.

Whichever method is used, it is essential that State Part D coordinators thoroughly review LEA formal agreements for compliance with Federal program requirements and assurances that funds will be used appropriately. Ideally, formal agreements are revisited annually to ensure that facilities continue meeting the Federal program requirements, their license is up-to-date, and that the agreement reflects current activities.

Understanding Application Requirements

When providing T/TA on the federally required elements, it is helpful for coordinators to understand what is expected. Some application requirements ask for assurances and some ask for descriptions. For assurances, State Part D coordinators should ensure subgrantees are able to demonstrate or offer evidence for how they comply with requirements; simply stating it will be done is not sufficient (e.g., parent involvement). For descriptions, State Part D coordinators should ensure subgrantees explain how they will meet requirements. When neither term is used, ED has a preference for a written description to be provided in the application.

5. Reviewing Submitted Applications

After the SEA receives completed applications from SAs and LEAs, the State Part D coordinator will review, evaluate, and approve or reject them. The purpose of this process is to help ensure that subgrantees provide all required information and assurances in accordance with all applicable Federal, State, and local requirements. State Part D coordinators should establish processes in advance for reviewing applications, the criteria for evaluation and approval, and the mechanisms by which subgrantees can revise applications to meet requirements and expectations. This will allow the review process to be transparent and efficient and funds to be awarded in a timely manner. Typically, an application review process determines whether each application:

- Is complete
- Contains a budget and description of services that are aligned with State and local priorities
- Proposes allowable and appropriate uses of funds

Evaluating Proposed Uses of Funds

One aspect of the application review process that can be challenging involves the approval or rejection of proposed uses of Part D funds. Within each application, the applicant typically provides a detailed program plan based on the needs of children and youth and focuses on improving outcomes. Those plans typically describe how the Part D funds will be spent. The State Part D coordinator has the discretion to decide whether the proposed uses are allowable and appropriate. The ease with which coordinators are able to reach decisions regarding appropriateness often differs between Subparts, because Federal statute and Nonregulatory Guidance provide varying degrees of specificity around how funds can and cannot/should and should not be used. Further, SEAs and State Part D coordinators have the discretion to further define allowable uses of funds according to current SEA policies or State laws since they are not limited to what is detailed in the Federal statute and Nonregulatory Guidance. Examples of areas in which States often have additional restrictions include: travel, meals, carryover, and paying certain kinds of student fees.

In the end, State Part D coordinators need to take into account the Title I, Part D, requirements and other relevant Federal provisions and guidelines, the goals and objectives of their State Plan, any State laws and regulations, the components of the subgrantee applications, and other relevant areas of consideration when deciding whether to approve proposed uses of funds. In some instances, State Part D coordinators may request revisions to submitted applications or plans or additional information.

After State Part D coordinators have reviewed all of the applications from SAs and LEAs, they can then decide which programs to fund, if not all of them, and the amount of funds each program will receive.

Spotlight on the Part A Reservation and Its Relationship With Title I, Part D, by Program Type

Neglect Institutions

[Section 1113\(c\)\(3\)\(B\)](#) of the Elementary and Secondary Education Act as amended in 2001 requires an LEA to reserve Part A funds to provide services to children and youth in local neglect institutions that are comparable to the services it provides in Title I schools. There is no set formula for calculating how much an LEA must reserve from Part A for services to children and youth who are neglected. The only requirement is that the amount an LEA sets aside must be sufficient to ensure comparability with Title I services in the LEA's community Title I schools.

[Section 1126\(a\)](#) states that, if an LEA is unable or unwilling to provide for the special needs of students in locally-operated institutions for children and youth who are neglected, the SEA must assume responsibility for serving those children and youth and “back out” the portion of an LEA's allocation that is attributable to those children and youth in order to serve them separately.

The reservation requirement under [Section 1113\(c\)\(3\)\(B\)](#) is a standalone requirement and cannot be fulfilled by activities under Part D. Although Part D allows LEAs to serve children and youth who are neglected with Part D funds, it does not require this. Part A requires that LEAs serve children and youth who are neglected per [Section 1113\(c\)\(3\)\(B\)](#). This requirement cannot be fulfilled by using Part D, Subpart 2, funds to serve children and youth who are neglected because those funds do not have to be used to provide comparable services. They may include comparable Title I, Part A, services but also may include broader uses of funds allowed for Subpart 2. Therefore, an SEA may allow a neglect facility to be served both by a Title I, Part A, reservation for comparable services and a Title I, Part D, Subpart 2 program that may include transition services, delinquency and dropout prevention, and peer mediation.

Delinquent Institutions and Community Day Programs

[Section 1113\(c\)\(3\)\(C\)](#) states that, if appropriate, an LEA must reserve Part A funds to provide services in local institutions that serve children and youth who are delinquent and community day programs for children and youth who are N or D. Part A funds can be used for only Part A services. Therefore, if a district reserves funds per [Section 1113\(c\)\(3\)\(C\)](#) for children and youth who are delinquent in a local institution or day school program, that district is to provide Part A services, not Part D services. Furthermore, only the district can provide Part A services (which are similar to private school services) to facilities. The district cannot contract with an institution or a community day school and give it the Part A funds for the supplemental services. This distinction is not made under Part D, whereby LEAs can contract with and provide funds directly to the institution.

Tools for Planning Title I, Part D, Program Administration

The indices and tools provided within this *Title I, Part D, Program Administration Planning* toolkit, are designed to assist State Part D coordinators and SA and LEA administrators in the planning process. They focus on centralizing all related Title I, Part D, requirement; designing, disseminating, and responding to funding applications; and making decisions about how best to fund and administer Title I, Part D, programs that will lead to the best results for children and youth. Each tool provides information and resources for these areas and some practical forms, tables, and other instruments that users can employ to make these tasks more effective and efficient.



Allocating Funds Toolbox

- ✂ Fund Allocation Resource Index
- ✂ Tool 1: Checklists for Creating and Reviewing Applications
- ✂ Tool 2: Steps to Approve Proposed Uses of Funds
- ✂ Tool 3: Conducting a Needs Assessment
- ✂ Tool 4: Formal Agreement Resources



Program Administration Planning Resource Index

This section provides a comprehensive index of resources from the U.S. Department of Education (ED) and the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent and At-Risk (NDTAC) related to requirements and guidance on how to administer Title I, Part D, funds (Part D funds). Since no single resource from ED or NDTAC includes all of the requirements for and guidance on the planning process for administering the Title I, Part D, program, this index can serve as a resource for anyone with funding questions related to Title I, Part D, and help quickly locate information to help ensure requirements are being met.

The index is divided into two parts, one for State Agency (SA) programs (Title I, Part D, Subpart 1) and one for local educational agency (LEA) programs (Title I, Part D, Subpart 2), and each part is organized by planning activity type.

For quick reference, click on the links below to jump to a specific area of interest within the index. In the event that it is not possible to use the links included within the index, a list of each resource and their respective URLs are included at the end of this index.

Quick Links

Index for SA Programs

Planning For Fund Allocation

- State Plan

- Allocating Subpart 1 Funds

Ensuring Eligibility to Receive Subpart 1 Funds

- SA Eligibility To Receive Subpart 1 Funds

- Facility Eligibility To Receive Subpart 1 Funds

- Eligibility of Children and Youth To Receive Subpart 1 Funds

Administering the SA Application

- SA Application Content

- SA Application Review Process

- SA Funding Requirements and Related Resources

Index for LEA Programs

Planning For Fund Allocation

- Plan for Subpart 2 Funding

- Allocating Subpart 2 Funds

Ensuring Eligibility to Receive Subpart 2 Funds

- LEA Eligibility To Receive Subpart 2 Funds

- Facility Eligibility To Receive Subpart 2 Funds

- Eligibility of Children and Youth to Receive Subpart 2 Funds

Administering the LEA Application

- LEA Application Content

- LEA Application Review Process

- Eligibility of Children and Youth To Receive Subpart 2 Funds

- ED and NDTAC Resource List

Index for State Agency Programs Funding/Application Requirements and Resources by Allocation Activity

Planning For Fund Allocation
State Plan
Basic State plan requirements <ul style="list-style-type: none"> Title I, Part D, Statute (Sections 1414(a)(1) and (2)) Title I, Part D, Nonregulatory Guidance (Section F-1) SASA Monitoring Plan for Formula Grant Programs (Monitoring Indicator 1.2 for Title I, Part D)
State plan revisions <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1414(a)(3)) Title I, Part D, Nonregulatory Guidance (Section F-2)
Allocating Subpart I Funds
Basics of State educational agency (SEA) allocation of Subpart 1 funds to SAs <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1412) Title I, Part D, Nonregulatory Guidance (Section B-1)
SEA transfer of Title I, Part D, funds between Subparts 1 and 2 <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section A-6)
SEA reallocation of Subpart 1 funds to other SAs <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1413)
SA reallocation of Subpart 1 funds to other facilities <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section B-5)
SA carry-over of Subpart 1 funds <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Sections C-1 and C-2)
Ensuring Eligibility to Receive Subpart I Funds
SA Eligibility To Receive Subpart I Funds
Basic SA eligibility requirements <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1411) Title I, Part D, Nonregulatory Guidance (Section B-2)
Eligibility of subcontractors <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section B-3)
Eligibility of SEA as SA <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section B-4)

Facility Eligibility To Receive Subpart I Funds

Basic facility eligibility requirements

- Title I, Part D, Nonregulatory Guidance ([Section D-1](#))

Eligibility of short-term institutions

- Title I, Part D, Nonregulatory Guidance ([Section D-2](#))

Eligibility of private facilities

- Title I, Part D, Nonregulatory Guidance ([Section D-3](#))

Definitions of eligible SA facilities

- Title I, Part D, Federal Regulations ([Section 200.90\(b\)](#))
- Title I, Part D, Statute ([Section 1432](#))

Eligibility of Children and Youth To Receive Subpart I Funds

Basic eligibility requirements for children and youth

- Title I, Part D, Nonregulatory Guidance ([Section E-1](#))

Eligibility of children and youth with a GED

- Title I, Part D, Nonregulatory Guidance ([Section E-2](#))

Identification and selection of children and youth to serve

- Title I, Part D, Nonregulatory Guidance ([Section E-3](#))

Administering the SA Application

SA Application Content

Required elements of the SA application

- Title I, Part D, Statute ([Section 1414\(c\)](#))
- Title I, Part D, Nonregulatory Guidance ([Section G-1](#))

Format of the SA application

- Title I, Part D, Nonregulatory Guidance ([Section G-5](#))

SA Application Review Process

SA application submission deadline

- Title I, Part D, Nonregulatory Guidance ([Section G-4](#))

Submission of an SA application by entities other than the SA

- Title I, Part D, Nonregulatory Guidance ([Sections G-7, G-8, and G-9](#))

Format of SA applications to the SEA

- Title I, Part D, Nonregulatory Guidance ([Section G-6](#))

**Frequency of SA application review/approval**

- Title I, Part D, Statute ([Section 1417](#))
- Title I, Part D, Nonregulatory Guidance ([Sections G-2, G-3, and G-5](#))

SEA review of the SA application

- SASA Monitoring Plan for Formula Grant Programs ([Monitoring Indicator 2.1 for Title I, Part D](#))

SA Funding Requirements and Related Resources**Allowable uses of funds**

- Title I, Part D, Statute ([Section 1415](#))
- Title I, Part D, Nonregulatory Guidance ([Sections H-1, H-2, and H-3](#))
- Title I, Part D, Program Administration Planning Toolkit ([Tool 2: Steps to Approve Proposed Uses of Funds](#))

Needs assessments

- Title I, Part D, Statute ([Section 1414\(c\)\(1\)](#))
- Title I, Part D, Nonregulatory Guidance ([Sections B-5 and E-3](#))
- Title I, Part D, Program Administration Planning Toolkit ([Tool 3: Conducting a Needs Assessment](#))

Transition reservation requirements

- Title I, Part D, Statute ([Section 1418](#))
- Title I, Part D, Nonregulatory Guidance ([Sections K-1 through K-5](#))
- NDTAC's [Transition Toolkit 2.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System](#)
- NDTAC's [The Mentoring Toolkit: Resources for Developing Programs for Incarcerated Youth](#)

Institutionwide project requirements

- Title I, Part D, Statute ([Section 1416](#))
- Title I, Part D, Nonregulatory Guidance ([Sections J-1 through J-4](#))
- NDTAC's [Planning and Implementing Institutionwide Projects Brief](#)

Parent and family involvement requirements

- Title I, Part D, Nonregulatory Guidance ([Section I-1](#))
- NDTAC's [A Family Guide to Getting Involved With Correctional Education](#)
- NDTAC's [Working With Families of Children in the Juvenile Justice and Corrections Systems: A Guide for Education Program Leaders, Principals, and Building Administrators](#)
- NDTAC's [Technical Issue Brief: Family Involvement](#)



Index for Local Educational Agency Programs Funding/Application Requirements and Resources by Allocating Activity

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Plan for Subpart 2 Funding
Purpose of Subpart 2 <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1421)
Allocating Subpart 2 Funds
Basics of SEA allocation of Subpart 2 funds to LEAs <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section M-1, paragraph 2)
SEA transfer of Title I, Part D, funds between Subparts 1 and 2 <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section A-6)
Adjustment of LEA allocation amounts <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section M-4)
LEA carry-over of Subpart 2 funds <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Sections M-5 and M-6)
Ensuring Eligibility to Receive Subpart 2 Funds
LEA Eligibility To Receive Subpart 2 Funds
Basic LEA eligibility requirements <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1422(a)) Title I, Part D, Nonregulatory Guidance (Sections M-1 through M-3)
Notification of eligible LEAs <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1422(c)) Title I, Part D, Nonregulatory Guidance (Section M-1, last sentence)
Facility Eligibility To Receive Subpart 2 Funds
Basic facility eligibility requirements <ul style="list-style-type: none"> Title I, Part D, Statute (Section 1422(a)) Title I, Part D, Nonregulatory Guidance (Section O-6)
Definitions of eligible locally-operated facilities <ul style="list-style-type: none"> Title I, Part D, Federal Regulations (Section 200.90(c))
Eligibility of Children and Youth to Receive Subpart 2 Funds
Basic eligibility requirements for children and youth <ul style="list-style-type: none"> Title I, Part D, Nonregulatory Guidance (Section N-3)

**Definition of child or youth who is at-risk**

- Title I, Part D, Statute ([Section 1432\(2\)](#))

Administering the LEA Application**LEA Application Content****Required elements of the LEA application**

- Title I, Part D, Statute ([Section 1423](#))
- Title I, Part D, Nonregulatory Guidance ([Section N-1](#))

LEA Application Review Process**Submission of an LEA application by entities other than an LEA**

- Title I, Part D, Nonregulatory Guidance ([Section N-2](#))

SEA review of the LEA application

- SASA Monitoring Plan for Formula Grant Programs ([Monitoring Indicator 2.2 for Title I, Part D](#))

Eligibility of Children and Youth To Receive Subpart 2 Funds**Allowable uses of funds**

- Title I, Part D, Statute ([Section 1424](#))
- Title I, Part D, Nonregulatory Guidance ([Sections O-1 through O-7](#))
- Title I, Part D, Program Administration Planning Toolkit ([Tool 2: Steps to Approve Proposed Uses of Funds](#))

Program requirements

- Title I, Part D, Statute ([Section 1425](#))
- Title I, Part D, Nonregulatory Guidance ([Sections P-1 and P-3](#))

Identification of LEAs with high numbers of youth in local correctional facilities (needs assessment)

- Title I, Part D, Statute ([Section 1422\(a\)](#))
- Title I, Part D, Nonregulatory Guidance ([Sections M-1, M-2, and M-3](#))
- Title I, Part D, Program Administration Planning Toolkit ([Tool 3: Conducting a Needs Assessment](#))

Formal Agreements

- Title I, Part D, Statute ([Sections 1423\(2\) and 1425](#))
- Title I, Part D, Nonregulatory Guidance ([Sections N-1, O-1, and P-1](#))
- Title I, Part D, Program Administration Planning Toolkit ([Tool 4: Formal Agreement Resources](#))



ED and NDTAC Resource List

This list provides all the resources referenced throughout the index and includes the complete link to the location of each resource.

Resources Referenced in Index

1. **Title I, Part D, Federal Regulations:** <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=14f388f6f01effb01e7d61215c54cee5;rgn=div5;view=text;node=34:1.2.2.1.1;idno=34;cc=ecfr#34:1.2.2.1.1.4>
2. **Title I, Part D, Statute:** <http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp>
3. **Title I, Part D, Nonregulatory Guidance:** <http://www.neglected-delinquent.org/nd/resources/guidance/intro.asp>
4. **SASA Monitoring Plan for Formula Grant Programs:** <http://www2.ed.gov/admins/lead/account/monitoring/index.html>
5. **NDTAC Transition Toolkit 2.0: Meeting the Education Needs of Youth Exposed to the Juvenile Justice System:** <http://www2.ed.gov/admins/lead/account/monitoring/index.html>
6. **NDTAC Mentoring Toolkit:** <http://www.neglected-delinquent.org/nd/resources/spotlight/spotlight200609c.asp>
7. **NDTAC Issue Brief: Planning and Implementing Institutionwide Projects:** <http://www.neglected-delinquent.org/nd/resources/spotlight/iwpBrief200908.asp>
8. **NDTAC's A Family Guide to Getting Involved With Correctional Education:** <http://www.neglected-delinquent.org/nd/resources/spotlight/familyGuide2008.asp>
9. **NDTAC's Working With Families of Children in the Juvenile Justice and Corrections Systems: A Guide for Education Program Leaders, Principals, and Building Administrators:** <http://www.neglected-delinquent.org/nd/resources/spotlight/spotlight200611a.asp>
10. **NDTAC Technical Issue Brief: Family Involvement:** <http://www.neglected-delinquent.org/nd/resources/spotlight/spotlight200608b.asp>



Tool I: Checklists for Creating and Reviewing Applications

This tool contains two checklists that include all Federal subgrantee application requirements for State Agency (SA) applications under Title I, Part D, Subpart 1, and local educational agency (LEA) applications under Title I, Part D, Subpart 2. The checklists are organized by topic. At the end of the checklist, a table outlining possible additional areas for inclusion in the checklist and SA and LEA applications is available.

Purpose of the Tools

These tools are intended to help State Part D coordinators as well as subgrantees ensure that all SA and LEA application requirements are included and met upon submission. The requirements are organized topically, rather than in the order presented in the Title I, Part D, statute, and the language has been abridged to make this a quick-reference tool. The *Additional Considerations* section of this tool can assist State Part D coordinators in considering how applications can also be used as a means to planning and implementing high-quality Title I, Part D, programs.

How to Use the Tools

1. The *Application Checklists* can be used by **State Part D coordinators** to plan or update what their Title I, Part D, subgrantee application(s) and or training and technical assistance (T/TA) materials should include. They can also use the tool to crosscheck whether the application(s) they receive from subgrantees are complete. Similarly, **SA and LEA administrators** can use this tool to crosscheck whether the application they plan to submit to the SEA is complete. Before using, the checklists can be adapted to include:
 - State-specific requirements, priorities (goals/performance measures), budget constraints or allowances, and deadlines; and
 - resources and additional questions that may help improve the effectiveness and efficiency of Title I, Part D, program administration
2. The *Additional Considerations* table following the checklists provides other resources and questions Part D coordinators can consider adding to their applications or checklists. These items may be copied and integrated directly into the tables as they are listed, or can be used as starting points to think about how to further customize the checklists, as applicable.

Application Checklist

Requirements for Part D, Subpart I-Funded, SA Programs by Topic

Included or confirmed?	Subpart I SA Application Requirement	Notes
A. Population to be Served and Its Needs		
<input type="checkbox"/>	Description of how the SA will assess the educational needs of the children and youth that will be served. Must be consistent with the State plan [Title I, Part D, statute Section 1414 (c)1]	
<input type="checkbox"/>	Assurance that, when serving youth in adult correctional institutions, priority will be given to those likely to complete incarceration within 2 years [Title I, Part D, statute Section 1414 (c)2]	
<input type="checkbox"/>	Assurance that the SA will: <ul style="list-style-type: none"> work to meet a child's or youth's existing individualized education programs (IEPs) and notify the local school if a child or youth is identified as needing special education services while in placement and intends to return to the school [Title I, Part D, statute Section 1414 (c)15]	
<input type="checkbox"/>	Assurance that the SA will: <ul style="list-style-type: none"> encourage children and youth who dropped out before entering the institution to reenter school following release, or if not returning to school, provide children and youth with the skills to gain employment, continue education, or obtain a secondary school diploma or its equivalent [Title I, Part D, statute Section 1414 (c)16]	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	
B. Programming Goals, Quality, and Evaluation		
<input type="checkbox"/>	Description of how the SA program will meet the goals and objectives of the State Plan [Title I, Part D, statute Section 1414 (c)4]	

Included or confirmed?	Subpart I SA Application Requirement	Notes
<input type="checkbox"/>	Assurance that teachers and staff are trained to work with children and youth who have special needs, including those with disabilities or unique needs [Title I, Part D, statute Section 1414 (c)17]	
<input type="checkbox"/>	Description of how the SA will carry out program evaluation in accordance with Section 9601 of the ESEA and how the results of the most recent evaluation will be used to plan and improve the program [Title I, Part D, statute Section 1414 (c)6]	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	
C. Professional Development for Staff		
<input type="checkbox"/>	Description of how appropriate professional development will be provided to teachers and other staff [Title I, Part D, statute Section 1414 (c)10]	
<input type="checkbox"/>	Description of how the SA will (1) consult with experts and (2) provide the necessary training for staff to ensure that institutionwide projects (per Section 1416 of the statute) are planned and operated with high quality [Title I, Part D, statute Section 1414 (c)5]	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed.	
D. Transition and Support Services		
<input type="checkbox"/>	Assurance that the SA will help locate alternative education programs for students not returning to school after leaving the facility or institution [Title I, Part D, statute Section 1414 (c)13]	
<input type="checkbox"/>	Assurance that the SA will work with parents to improve the educational achievement of their children and prevent their child's further involvement in delinquent activities [Title I, Part D, statute Section 1414 (c)14]	

Included or confirmed?	Subpart I SA Application Requirement	Notes
<input type="checkbox"/>	Description of any additional services to be provided to children and youth, such as career counseling, distance learning, and assistance in securing student loans and grants [Title I, Part D, statute Section 1414 (c)18]	
<input type="checkbox"/>	Customize this section by adding any State-specific or additional requirements, resources, or questions here. See the <i>Additional Considerations</i> table for ideas relating to this section. If you have no additional items to add for this section, delete this row.	
E. Coordination and Collaboration		
<input type="checkbox"/>	Designation of an individual at each institution who is responsible for the transition of children and youth to locally-operated programs [Title I, Part D, statute Section 1414 (c)11]	
<input type="checkbox"/>	Description of how Part D programs will be coordinated with other appropriate State and Federal programs, such as Title I, vocational and technical education, dropout prevention, and special education [Title I, Part D, statute Section 1414 (c)8]	
<input type="checkbox"/>	Description of how the SA will encourage correctional facilities to coordinate with LEAs or alternative education programs previously attended by the children and youth to ensure that student assessments and academic records are shared with the facility [Title I, Part D, statute Section 1414 (c)9]	
<input type="checkbox"/>	Description of how the SA will try to coordinate with businesses for training and mentoring participating children and youth [Title I, Part D, statute Section 1414 (c)12]	
<input type="checkbox"/>	Assurance that the program will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) or other comparable programs, if applicable [Title I, Part D, statute Section 1414 (c)19]	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed.	

Included or confirmed?	Subpart I SA Application Requirement	Notes
F. Finances		
<input type="checkbox"/>	Description of the program, including a budget for the first year of the program, with annual updates to be provided to the SEA <i>[Title I, Part D, statute Section 1414 (c)3]</i>	
<input type="checkbox"/>	Inclusion of data showing that the SA has maintained the fiscal effort required of an LEA, in accordance with ESEA Section 9521 <i>[Title I, Part D, statute Section 1414 (c)7]</i>	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	
G. Additional Subpart I State Agency Resources And Questions		
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	

Application Checklist

Requirements for Part D, Subpart 2-Funded, LEA Programs by Topic

Included or confirmed?	Subpart 2 LEA Application Requirement	Notes
A. Population To Be Served and Its Needs		
<input type="checkbox"/>	<p>Description of:</p> <ul style="list-style-type: none"> the characteristics of the children and youth to be served by the program,* including learning difficulties, substance abuse problems, and other special needs. how the school will coordinate with existing programs to meet the unique educational needs of such children and youth <p>*Children and youth who will be served may include those returning from correctional facilities and other students who are at risk.</p> <p>[Title I, Part D, statute Section 1423 5]</p>	
<input type="checkbox"/>	<p>Description of how participating schools will work to ensure facilities are aware of a child's or youth's individualized education program (IEP)</p> <p>[Title I, Part D, statute Section 1423 12]</p>	
<input type="checkbox"/>	<p>As appropriate, a description of the steps participating schools will take to find alternative placements for children and youth interested in continuing their education but not able to attend a regular public school program</p> <p>[Title I, Part D, statute Section 1423 13]</p>	
<input type="checkbox"/>	<p>Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.</p>	
B. Programming Goals, Quality, and Evaluation		
<input type="checkbox"/>	<p>Description of the program to be funded</p> <p>[Title I, Part D, statute Section 1423 1]</p>	
<input type="checkbox"/>	<p>Description of the (Part D) formal agreements that exist between the LEA and correctional facilities or alternative school programs serving children and youth involved in the juvenile justice system</p> <p>[Title I, Part D, statute Section 1423 2]</p>	

Included or confirmed?	Subpart 2 LEA Application Requirement	Notes
<input type="checkbox"/>	As appropriate, a description of how participating schools will coordinate with facilities to ensure that children and youth are enrolled in an education program that is comparable to the one in the local school they would otherwise attend [Title I, Part D, statute Section 1423 3]	
<input type="checkbox"/>	Description of the program for children and youth returning from correctional facilities operated by participating schools and, as appropriate, the services that such schools will provide to those children and youth and to others who are at risk [Title I, Part D, statute Section 1423 4]	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	
C. Transition and Support Services		
<input type="checkbox"/>	Description of how schools will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities, children and youth who are at risk of dropping out of school, and other participating children and youth Note: Services may include prenatal health care, nutrition services, parenting and child development classes, child care, reentry and outreach programs, referrals to community resources, and scheduling flexibility. [Title I, Part D, statute Section 1423 6]	
<input type="checkbox"/>	As appropriate, a description of partnerships with local businesses to develop services for participating students, including curriculum-based youth entrepreneurship education, and mentoring [Title I, Part D, statute Section 1423 7]	
<input type="checkbox"/>	As appropriate, a description of how the program will involve parents in efforts to improve the educational achievement of their children, assist in dropout prevention activities, and prevent the involvement of their children in delinquent activities [Title I, Part D, statute Section 1423 8]	
<input type="checkbox"/>	As appropriate, a description of how schools will work with probation officers to help meet the needs of children and youth returning from correctional facilities [Title I, Part D, statute Section 1423 11]	

Included or confirmed?	Subpart 2 LEA Application Requirement	Notes
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed.	
D. Coordination and Collaboration		
<input type="checkbox"/>	Description of how the program will be coordinated with other Federal, State, and local programs, such as those under Title I and vocational and technical education programs serving children and youth who are at risk of dropping out of school <i>[Title I, Part D, statute Section 1423 9]</i>	
<input type="checkbox"/>	Description of how the program will be coordinated with programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 (JJDP) and other comparable programs, if applicable <i>[Title I, Part D, statute Section 1423 10]</i>	
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	
E. Additional Subpart 2 Local Educational Agency Resources And Questions		
<input type="checkbox"/>	Enter other requirements, resources, or questions here, if needed. See the Additional Considerations table for ideas relating to this section.	

Application Checklist

Additional Considerations for Title I, Part D, Applications

The considerations listed below are examples of items that can be used to customize the application checklists and applications with additional information, resources, and questions that may help improve Title I, Part D, program administration and implementation. Items listed include information that can be provided to SAs and LEAs for reference as they complete applications, information State Part D coordinators may want to request from subgrantees, or questions to think about when verifying that requirements are being met during the application review. Add or adapt these items as appropriate into each respective section of the application checklist requirement tables. State Part D coordinators are also encouraged to expand on these examples.

Additional Considerations by Topic

A. Population to be Served and Its Needs

Optional Resources to Provide Subgrantees

- Information about needs assessments:
- Listing of State requirements subgrantees should follow in conducting a needs assessment
- Title I, Part D, Program Administration Planning Toolkit ([Tool 3: Conducting a Needs Assessment](#))

Optional Information to Request from Subgrantees

- Description of the needs assessment that will be conducted

Optional Questions to Consider

- Will the SA/LEA serve children and youth with the greatest need? If yes, is there information or an assurance included in the application?

B. Programming Goals, Quality, and Evaluation

Optional Resources to Provide Subgrantees

- Requirements around formal agreements
- Title I, Part D, Program Administration Planning Toolkit ([Tool 4: Formal Agreement Resources](#))

Optional Information to Request from Subgrantees

- Example of how evaluation data will be used to improve a program
- Resumes of funded staff

Optional Questions to Consider

- Are any facilities operating institutionwide projects (IWP)? If yes, is a description of the IWP/IWP plan included? (Subpart 1)

Additional Considerations by Topic

C. Professional Development (for Subpart I)

Optional Information to Request from Subgrantees

- List of professional development activities staff completed

Optional Questions to Consider

- How were the professional development activities selected (assigned based on need, self-selection, availability, fiscal constraints)?
- How did the professional development help improve service delivery and/or program administration?

C and D. Transition and Support Services (Section C for Subpart 2; Section D for Subpart I)

Optional Resources to Provide to Subgrantees

- Transition
 - State transition requirements
 - [Transition Toolkit 2.0: Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System](#)
 - [Mentoring Toolkit](#)
- Parental/family involvement
 - Requirements around parental/family involvement
 - [Family Guide to Getting Involved With Correctional Education](#)
 - [Working With Families of Children in the Juvenile Justice and Corrections Systems: A Guide for Education Program Leaders, Principals, and Building Administrators](#)
 - [Technical Issue Brief: Family Involvement](#)

Optional Information to Request from Subgrantees

- Description of program's transition efforts
- Activities being conducted

Additional Considerations by Topic

F. Finances (for Subpart 1)

Optional Resources to Provide Subgrantees

- Requirements/ guidelines around allowable uses of funds

Optional Information to Request from Subgrantees

- Budget narrative (including description of transition reservation for Subpart 1)

Optional Questions to Consider

- Are the goals, program description, and budget aligned?
- Has the SA reserved 15–30% of its funds for transition? (for Subpart 1)
- If combining other Federal funds with Part D, how will the combination of funds better serve the needs of children and youth?

E and G. Additional Items (Section E for Subpart 2; Section G for Subpart 1)

Optional Resources to Provide Subgrantees

- Requirements regarding “regular program of instruction” (Subpart 1 only)
- Requirements around SA/LEA and facility eligibility to receive funds
- Requirements around eligibility of children and youth to receive funds
- Requirements around uses of funds

Optional Information to Request from Subgrantees

- Evidence that a regular program of instruction will be provided (Subpart 1)
- Description of facilities (to help ensure they meet SA/LEA and facility eligibility requirements)
- Description of children and youth (to ensure they meet eligibility requirements)
- Budget narrative (including description of transition reservation for Subpart 1)

Optional Questions to Consider

- Are the goals, program description, and budget aligned?
- If combining other Federal funds with Part D, how will the combination of funds better serve the needs of children and youth?
- Has there been a significant change in what the SA/LEA has proposed from the previous year? If so, describe.
- Has the SA/LEA presented any concerns related to monitoring findings?
- Will the SA/LEA need any T/TA to achieve its proposed plan?



Tool 2: Steps to Approve Proposed Uses of Funds

This tool provides a set of decision rules that can help determine whether or not a proposed use of Title I, Part D, funds (Part D funds) is allowable and appropriate. The tool is divided into two parts, one for State agency (SA) programs (Subpart 1) and one for local educational agency (LEA) programs (Subpart 2).

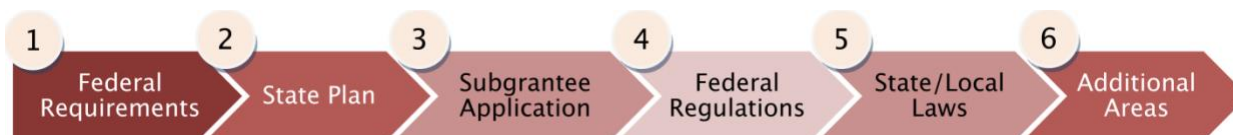
Note: The assumption throughout this tool is that the State educational agency (SEA) has already determined the SAs and LEAs are eligible to receive Title I, Part D, funds.

Purpose of the Tool

When reviewing the uses of Part D funds as proposed in subgrantee applications for SAs and LEAs, **State Part D coordinators** may have questions about whether the suggested uses of funds are allowable. Similarly, when proposing uses of funds in response to a Part D application, **SA and LEA administrators** may also have questions about the allowableness and appropriateness of their requests.

How to Use the Tool

This tool includes 6 steps users can take to determine whether a proposed use of funds is allowable and appropriate (see figure below).



For each step, users should refer to the information listed under *How do I know?* to answer the question. The *Explanation/Notes* column can be used to record any thoughts related to the decision. If a user has answered yes to each question listed in the steps, then he or she has the most support for the use of funds being considered allowable and/or appropriate. When used by a **State Part D coordinator**, any step that results in a “no” response provides enough reason to question or reject the proposed use. The coordinator may ask the subgrantee to amend the funding proposal or reject it altogether. Similarly, when used by an **SA or LEA administrator**, any step resulting in a “no” gives good reason to amend or withdraw the proposed use.

State Part D coordinators are encouraged to adapt this tool to fit their State and/or local needs. This is particularly true for the *How do I know?* sections for Step 2: State Plans; Step 3: subgrantee applications; Step 5: State and local laws and regulations; and the section at the end of each table for *Additional Area(s) of Consideration*.

Steps to Approve State Agency (SA) Proposed Uses of Title I, Part D, Subpart I, Funds

Title I, Part D, Subpart I, State Agency Programs		
Agency/Facility Name:		
Proposed Uses of Funds:		
<p>Step 1: Do the proposed uses comply with Federal requirements regarding the use of Title I, Part D, Subpart 1, funds?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> Title I, Part D, statute: Section 1415. Use of Funds (including “supplement, not supplant” clause); Section 1416. Institutionwide Projects; and Section 1418. Transition Services Nonregulatory Guidance: Section H. Use of Funds; Section J. Institutionwide Projects; and Section K. Transition Services 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Step 2: Do the proposed uses align with the goals and objectives of the State Plan?*</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> The State Plan** <p>*The priorities, goals, objectives, and any stated restrictions on uses of funds for the Part D program included in the State Plan will vary between States.</p> <p>**The Title I, Part D, statute (Section 1414. State Plan and State Agency Applications) and the Nonregulatory Guidance (Section F. State Plan) address the requirements for State plans.</p>	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Step 3: Do the proposed uses align with the requirements for and the needs expressed in the SA application?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> Program narrative of the SA application covering the needs assessment Statute: Section 1414. State Plan and State Agency Applications Nonregulatory Guidance: Section G. State Agency Applications 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>

Title I, Part D, Subpart I, State Agency Programs		
<p>Step 4: Do the proposed uses comply with other applicable Federal regulations for the uses of Title I grant funds?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • EDGAR: Part 80, Subpart C (Post-Award Requirements) <ul style="list-style-type: none"> — 80.22: Allowable Costs — 80.31: Real Property, 80.32: Equipment, and 80.33: Supplies • OMB Circular A-21: Principles for Determining Costs Applicable to Grants, Contracts, and Other Agreements with Educational Institutions • OMB Circular A-87 Cost Principles for State, Local, and Tribal Governments <ul style="list-style-type: none"> — General Principles for Determining Allowable Costs (PDF) • OMB Circular A-133: Audits of States, Local Governments, and Non-Profits (PDF) 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Step 5: Do the proposed uses of funds comply with all applicable State and/or local laws and regulations?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • The evidence to support the answer to this question will vary between States and localities; refer to State and local documentation. 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Additional Area(s) of Consideration:</p> <p>EXAMPLE: Do the proposed uses facilitate the planning and improvement of Part D programs based on evaluation data?*</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • Consolidated State Performance Report (CSPR) • Other student and program performance data/evaluation results <p>*The Title I, Part D, statute (Section 1431. Program Evaluations) and the Nonregulatory Guidance (Section R. Evaluation Requirements) address the requirements for SA programs using funds in this manner.</p>	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>

Steps to Approve Local Educational Agency (LEA) Proposed Uses of Title I, Part D, Subpart 2, Funds

Title I, Part D, Subpart 2, Local Educational Agency Programs		
Agency/Facility Name:		
Proposed Uses of Funds:		
<p>Step 1: Do the proposed uses comply with Federal requirements and funding priorities for the use of Title I, Part D, Subpart 2, funds?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • Statute: Section 1421. Purpose, Section 1424. Uses of Funds (no “supplement, not supplant” clause) and Section 1425. Program Requirements for Correctional Facilities Receiving Funds Under This Section • Nonregulatory Guidance: Section O. Use of Funds and Section P. Program Requirements for Subpart 2 Programs 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Step 2: Do the proposed uses align with the goals and objectives of the State Plan?*</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • The State Plan** <p>*The priorities, goals, objectives, and any stated restrictions on uses of funds for the Part D program included in the State Plan will vary between States.</p> <p>**The Title I, Part D, statute (Section 1414. State Plan and State Agency Applications) and the Nonregulatory Guidance (Section F. State Plan) address the requirements for State plans.</p>	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>
<p>Step 3: Do the proposed uses align with the requirements for and the needs expressed in the LEA application?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • Program narrative of the LEA application covering the needs assessment • Statute: Section 1423. Local Educational Agency Applications • Nonregulatory Guidance: Section N. LEA Applications 	<p>___ Yes ___ No</p>	<p>Explanation/Notes:</p>

Title I, Part D, Subpart 2, Local Educational Agency Programs

<p>Step 4: Do the proposed uses comply with other applicable Federal regulations for the uses of Title I funds?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • EDGAR: Part 80, Subpart C (Post-Award Requirements) <ul style="list-style-type: none"> — 80.22: Allowable Costs, 80.31: Real Property, 80.32: Equipment, and 80.33: Supplies • OMB Circular A-21: Principles for Determining Costs Applicable to Grants, Contracts, and Other Agreements with Educational Institutions • OMB Circular A-87 Cost Principles for State, Local, and Tribal Governments <ul style="list-style-type: none"> — General Principles for Determining Allowable Costs (PDF) • OMB Circular A-133: Audits of States, Local Governments, and Non-Profits (PDF) 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Explanation/Notes:</p>
<p>Step 5: Do the proposed uses of funds comply with all applicable State and/or local laws and regulations?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> • The evidence to support the answer to this question will vary between States and localities; refer to State and local documentation. 	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Explanation/Notes:</p>

Title I, Part D, Subpart 2, Local Educational Agency Programs

Additional Area(s) of Consideration:	Yes No	Explanation/Notes:
<p>EXAMPLE 1: Do the proposed uses facilitate the planning and improvement of Part D programs based on evaluation data?*</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> Consolidated State Performance Report (CSPR) Other student and program performance data/evaluation results <p>*The Title I, Part D, statute (Section 1431. Program Evaluations) and the Nonregulatory Guidance (Section R. Evaluation Requirements) address the requirement that LEA programs use funds in this manner.</p> <p>EXAMPLE 2: For programs that have received Title I, Part D, funds previously, have funds been effectively used?</p> <p><i>How do I know?</i></p> <ul style="list-style-type: none"> Consolidated State Performance Report (CSPR) Other student and program performance data/evaluation results <p>*The Title I, Part D, statute (Section 1426. Accountability) and the Nonregulatory Guidance (Section Q. Accountability) address the requirement that LEA programs use funds in this manner.</p>		



Tool 3: Conducting a Needs Assessment

This set of resources provides basic tools and frameworks that follow the steps of the needs assessment process for States, subgrantees, or facilities to adapt as needed.

Note: There are several points in time when State educational agencies (SEAs) and State agencies (SAs) should assess the educational needs of the children and youth being served under Title I, Part D, such as:

1. when developing the State Plan (see [Section 1414\(a\)\(1\)\(A\)](#));
2. when developing the SA Application (see [Section 1414\(c\)\(1\)](#)); and
3. when implementing an institutionwide project (see [Section 1416](#)).

However, needs assessments may occur at any point in time by any agency or facility for program planning and improvement purposes; it is not an activity that is limited to Subpart 1 alone.

Purpose of the Tools

Conducting a needs assessment can be overwhelming. These tools provide a starting point for those working with Title I, Part D, programs and undertaking a needs assessment. They are intended to assist **administrators and assessment team members** as they work through the process. All of the tools can be used in isolation or as a set and are designed to be flexible and customizable in order to meet the goals of individual needs assessments. These tools do not reflect any mandatory Title I, Part D, requirements.

1. [Identifying the Scope of the Assessment and Developing a Team](#): Use to determine why the needs assessment is being conducted, the goals of the assessment, and to identify who should be involved in the needs assessment team.
2. [Developing Questions and Summarizing Data for the Program Overview](#): Once the goals of the assessment are understood, use this worksheet to identify the questions that need to be answered and help summarize the findings.
3. [Identifying and Using the Data](#): Reference these questions throughout the assessment process—from identifying data, to gathering data, to reviewing data—to determine if the available information is useable, or if more data are needed.
4. [Identifying Needs and Setting Priorities](#): Use this template to help determine which needs to focus on first when several are identified.

Details on **how to use** these tools are provided with each individual tool.



Needs Assessment I: Identifying the Scope of the Assessment and Developing a Team

Needs assessments can be conducted for a variety of reasons and at different levels—by the SEA, SA, LEA, or facility. They can focus on a single area of interest (e.g., transition) or take a broader perspective to identify gaps throughout a system. Understanding the purpose, goals, and scope of the assessment is crucial to all the remaining steps of the process.

How to Use This Tool

Respond to the following questions **at the beginning** of the process to determine the goals of the assessment and who should be involved. Type up responses and share them so all stakeholders are in agreement before the assessment process begins. Refer back to these responses when questions about scope and priorities arise later in the assessment process.

Determining the Purpose and Scope of the Assessment

Understanding the purpose of the needs assessment will help focus the scope and detail of the assessment effort and help determine the time and resources (staff, budget, etc.) needed. Having this information will help when recruiting the assessment team and/or explaining the assessment to others.

1. What entities are requesting and guiding the needs assessment?

- What level of programming is being assessed (State programs, district programs, individual facilities)?

2. What is the purpose and scope of the needs assessment?

- Why is the assessment being conducted?
- What are the targeted goals or expected outcomes of the assessment?
- What are the specific topics or areas of interest (focused vs. comprehensive overview)?

3. What entities will need to assist in providing information and data for the needs assessment?

4. What resources are required to conduct the needs assessment?

- Who should be involved? Are outside resources/consultants needed?
- How long will the effort take given the scope of the assessment?
- What will the budget allow for?



Establishing a Needs Assessment Planning Team

The planning team will lead the process of conducting the needs assessment. The members of the planning team will depend on the level at which the assessment is being conducted (SEA, SA, LEA, or facility) and on the focus of the needs assessment.

Depending upon the purpose and the scope of the assessment, identify individuals who should be involved in the assessment team.

- Establish a team leader who pulls the larger team together and directs the needs assessment process
- Make sure the team is comprised of individuals who have a variety of skills or knowledge and who can actively contribute to one or more aspects of the needs assessment process, such as the:
 - ability to request and obtain data and resources,
 - ability to analyze and synthesize the data, or access to a team of people who can assist with this
 - ability to prepare a report and develop action items
 - ability to act on the results once the action items are identified
 - ability to represent a unique perspective (e.g. teachers, parents, students) of all impacted groups
- Ensure a cross-section of individuals (as applicable) are represented on the team
 - *Individuals who work in the system* and who will be involved in implementing changes based on the results, such as administrators, principals, teachers, transition coordinators, security and/or other staff
 - *Individuals who benefit from or are impacted by the services*, such as parents or family representatives, students, community members, and other stakeholders
 - Consider developing a permanent (rather than 1-time) needs assessment team who can revisit the resulting plan and priorities, and identify new needs as they arise on an ongoing basis.



Needs Assessment 2: Developing Questions and Summarizing Data for the Program Overview

Once the goals of the assessment are understood, the assessment team should outline questions that address the areas of concern. Ultimately, these questions can be used to guide the data collection and development of the profile. In the process of developing questions, the team should also assess data availability and usability (see [Needs Assessment 3: Identifying and Using the Data](#)). This table provides a **sampling** of categories and questions that could be included in various needs assessments of Title I, Part D, programs.

How to Use This Tool

This table can serve as a starting framework to be edited back or expanded upon, as appropriate, to meet the purpose and scope of a needs assessment. Space is provided to note information on the results of the data as it becomes available. The table can also be expanded upon with additional columns or rows to incorporate other information the assessment team may want to use.

Categories and Guiding Questions	What Do the Data Tell You?
A. Understanding the Scope of the Current Programming and Population	
Programs: Gather information to understand what the system for children and youth who are N or D looks like. <ul style="list-style-type: none">• How many agencies/facilities provide educational services to children and youth?• How many educational programs are eligible for Title I, Part D, funding?• What types of programs exist and how many are there (e.g., detention, corrections, etc.)?• Are any programs eligible to receive funding but not receiving any?	
Student Population: Gather information to describe the student population and the types of services they need. <ul style="list-style-type: none">• How many students are enrolled in Title I, Part D, eligible programs?• What is the demographic makeup of the student population?• Are there particular geographic areas in which students are more likely to come from or return to after their enrollment ends?• What are the educational and other needs of the student population—e.g., English language learners, students with learning disabilities, students with mental health needs?• Have any populations of students been increasing or decreasing in size?	



Categories and Guiding Questions	What Do the Data Tell You?
B. Comparing Current Services, Resources, and Systems to the Student Population and Program Goals (e.g., identifying gaps)	
<p>Student Educational Services and Offerings: Gather information on the type(s) of educational programming that currently exist(s) to assess alignment with the needs of the student population.</p> <ul style="list-style-type: none">• What are the primary educational offerings within the eligible programs (e.g., basic education/vocational education/etc.)?• What types of supplemental educational services are offered?• Do these services align with the needs of the student population?• Are there enough services /staff to adequately serve the students in need?• Are the services of high quality and demonstrating results?	
<p>Student Outcomes: Review performance data to determine whether programming is preparing students to return to school, the community, and/or obtain employment at a level at least equivalent to the local district school.</p> <ul style="list-style-type: none">• What data on student outcomes are being collected? Are data missing?• How are students performing across multiple subject areas?• Are students earning a high school diploma or obtaining a GED?• How do these data compare with district averages?• What do trend data indicate in terms of student performance?• Are students tracked after enrollment to follow their outcomes? What would be needed to do so?	
<p>Student Support Services: Gather information about the additional services that exist to support students academically to assess whether these services are successful and readily available.</p> <ul style="list-style-type: none">• What types of additional services are offered in the eligible programs (e.g., mental health screening, counseling, transition services, family involvement policies)?• Do these services align with the needs of students being served?• Are there enough services and staff to adequately serve the population?• Are the services of high quality and meeting the needs of students?	

Categories and Guiding Questions	What Do the Data Tell You?
<p>Teachers and Professional Development: Collect information on the teaching population and the training available to determine if there are staffing and/or professional development needs.</p> <ul style="list-style-type: none"> • How many teachers work in the program(s)? Are there enough? • What percentage of teachers are certified or credentialed in the areas in which they teach? • What are the demographic characteristics of the teaching population? • Are teachers close to retirement? • What is the teacher retention rate? • What are salaries in comparison to the district average? • What types of recruitment activities are taking place? • What types of training are provided to new teachers/senior teachers? Are they effective? 	
<p>Collaboration Activities and Policies: Identify whether appropriate relationships exist (inter- and/or intra-agency or program) to facilitate effective programming.</p> <ul style="list-style-type: none"> • What other agencies, programs, or facilities work with students who are enrolled in Title I, Part D, programs? • What information sharing and/or collaboration activities take place among these entities (e.g., records transfer and joint meetings, etc)? • Are there activities that would make administration or programming more effective or efficient? Are there activities that are not working? • To what extent are Part D funding streams blended with other Federal or State funds? What funding streams could be blended that are not? 	
<p>Systems and Infrastructure: Explore whether the current systems work effectively for obtaining the data, information sharing and ensuring students receive services in a timely manner.</p> <ul style="list-style-type: none"> • How soon do facilities receive students' records after they are enrolled? • How soon are records transferred after students exit a facility? • How soon do facilities assess students after enrollment (e.g., for academic placement, mental health, special education, etc.)? • How long are students enrolled before they begin to take classes? • How are student data collected, reported and shared? • Are the data integrated with the State educational reporting system? • Are they part of a longitudinal data collection system? 	



Needs Assessment 3: Identifying and Using the Data

Throughout the needs assessment process—when developing questions, when identifying data, and when analyzing and reviewing data—the availability and usability of the information should be taken into account to determine if more data should be collected and whether the data are accurate and reflect the reality of the program(s).

How to Use This Tool

After developing questions (see [Needs Assessment 2: Developing Questions and Summarizing Data for the Program Overview](#)), refer and respond to this list of questions (e.g. with data providers or during meetings with the needs assessment team) on an **ongoing** basis to help determine what data are available, when they are available, how they may be used, and how any additional data needs may impact costs and timelines.

Questions to Ask About the Data Identified and Collected

Data Availability and Usability*

- What data are already available/collected?
 - Are multiple data sources available to provide additional validation of the results?
- Are data accurate enough from which to draw conclusions?
 - Are there any restrictions caveats on how the data may be used or what it tells you?
- Are trend data available to assess patterns over time and identify needs? One year of data may not be enough.
 - Do the trend data suggest a need for more data to understand and interpret the information?
- Is it feasible for the facility/program/subgrantee to collect or provide this data?
 - How long will it take to access this data?

*If the data do not exist, or are not reliable enough to be used, this may also indicate a need.

Additional Data Collection

- If data have not been collected, what collection methods could be used to obtain the data?
- What steps and costs are involved in collecting this information (e.g., creating and administering a survey, organizing focus groups, developing interview protocols, or hiring outside consultants)?
 - How long will such a collection take to develop and implement?

Needs Assessment 4: Identifying Needs and Setting Priorities

After analyzing the data, gaps between the program’s goals and the current status of the program will be apparent. Next, priorities and action steps should be set. The table below provides one example of how to approach this process. Keep in mind that: (1) in order to achieve one goal, other issues may need to be addressed beforehand, and (2) there may be opportunities to be more efficient—if outcomes are examined comprehensively, problems may be identified that impact several outcomes, and as a result, solutions may address more than one need.

How to Use This Tool

The first row of this table provides sample outcomes and related responses, and additional rows may be added to include outcomes and goals in the same manner. While some assessments may not fully align with this format, this table can be used to inform an assessment team’s thinking about the prioritization process and can help identify ways to modify or develop a separate tool that meets the team’s needs.

Current Outcomes: How things are...	Desired Outcomes: How things should be...	Needs or Gaps: What is the source of the problem?	Priority Ranking: How important is this need compared with others?	Solutions/ Action Steps: What are we going to do about it?	Evaluation Items: How do we know we’ve succeeded?
Example: Upon release, only 25% of students are awarded the academic credits that they earned while in placement.	Upon release, 100% of students will have their academic credits transferred.	<ol style="list-style-type: none"> 1. Some classes are not meeting State time and curriculum requirements. Consequently credits are not transferrable. 2. Student records are not up to date upon transfer, and information is lost or inconsistently transferred. 	3 (of 6)	<ol style="list-style-type: none"> 1. Update curricula so that all courses meet State mandates or requirements and credits are transferrable. Conduct awareness meetings with local schools to ensure transferability. 2. Adopt policies that require all teachers to update the academic records of students twice per week. 	<ol style="list-style-type: none"> 1. Regularly or routinely review course curricula to determine whether they are meeting State standards. 2. Continue to track student transfer data and review quarterly for improvement.
[Insert info here; add rows as needed]					

Table adapted from West Virginia Department of Education Comprehensive Needs Assessment, Neglected and Delinquent Needs Assessment Committee training, March 2009.



Tool 4: Formal Agreement Resources

This tool provides two resources focused on developing formal agreements. The first resource is a checklist summarizing the program requirements for locally-operated correctional facilities² entering into formal agreements with local educational agencies (LEAs) under Subpart 2. The second is a list of **optional** items to include in any formal agreement (or contract) with those hired to provide educational services using Title I, Part D, funds.

Purpose of the Tools

The *Formal Agreement Checklist* is intended to be used as a quick, easy-to-read reference to help ensure that all program requirements under Title I, Part D, Subpart 2 are included and met in the formal agreements that exist between LEAs and local correctional facilities.

Components of a Comprehensive Formal Agreement can help State Part D coordinators and administrators think through the components of a formal agreement that are most important to them and to help address issues that may need to be explicitly spelled out or clarified.

How to Use the Tools

The Formal Agreement Checklist can be used by **State Part D coordinators and LEA administrators** to help ensure that program requirements are included in the agreements they distribute to facilities; when reviewing applications and agreements from correctional facilities; and/or as a resource when providing T/TA. Similarly, the checklist can be used by **locally-operated correctional facility administrators** to help ensure their agreement has addressed all the Federal program requirements under Title I, Part D, Subpart 2. Prior to using or distributing the checklist, users may expand it to include any additional requirements/components of the formal agreement (see [Components of a Comprehensive Formal Agreement](#) for suggestions). Space is provided to include notes as to why a requirement may not be included, or other relevant information.

The Components of a Comprehensive Formal Agreement table can be used to serve as the basis for developing a formal agreement template or form, or the topic areas included in the tool can be integrated into already existing forms or templates. **Note:** Use of this list or the items identified in it is not required.

² Per Section 200.90(c) of the Federal regulations, a locally-operated correctional facility is defined as a facility in which persons are confined as a result of a conviction for a criminal offense, including persons under 21 years of age. It includes a local public or private institution or community day program or school not operated by the State that serves delinquent children and youth.



Formal Agreement Checklist for LEAs and Locally-Operated Correctional Facilities

Included?	Element	Notes
<p>Per Title I, Part D, Subpart 2 (Section 1425), locally-operated correctional facilities entering into a formal agreement with an LEA to provide educational services should identify how the facility will ensure that Federal program requirements are being met.</p> <p>The program requirements have been abridged from the Federal statute in the text below.</p>		
<input type="checkbox"/>	<p>Where feasible.... Provide information on how the educational programs in the facility will coordinate with the student's home school, particularly in relation to students with individualized education programs (IEPs).</p> <p>(As in Part B of the Individuals with Disabilities Education Act (IDEA))</p>	
<input type="checkbox"/>	<p>Provide information on how a child's or youth's local school will be made aware if he or she is identified as needing special education services while in the facility.</p>	
<input type="checkbox"/>	<p>Where feasible... Include information on how the facility will provide transition assistance to help children and youth stay in school.</p> <p>(May include coordination of services for the family, counseling, accessing drug and alcohol abuse prevention programs, tutoring, and family counseling).</p>	
<input type="checkbox"/>	<p>Include information on the support programs the facility will provide for children and youth who have dropped out to:</p> <ol style="list-style-type: none"> encourage them to reenter school once their enrollment at the facility is completed, OR develop the skills necessary to gain employment or seek a secondary school diploma or its recognized equivalent. 	
<input type="checkbox"/>	<p>Include information on how the facility will work to ensure it is staffed with teachers and staff who are trained to work with children and youth with disabilities.</p>	
<input type="checkbox"/>	<p>Provide information on how the facility will ensure that the educational programs assist students in meeting high academic achievement standards.</p>	
<input type="checkbox"/>	<p>To the extent possible... Provide information on how the facility will use technology to help coordinate educational programs between the facility and the community school?</p>	



Included?	Element	Notes
<p>Per Title I, Part D, Subpart 2 (Section 1425), locally-operated correctional facilities entering into a formal agreement with an LEA to provide educational services should identify how the facility will ensure that Federal program requirements are being met.</p> <p>The program requirements have been abridged from the Federal statute in the text below.</p>		
<input type="checkbox"/>	<p>Where feasible...</p> <p>Provide information on how the facility will involve parents, with a focus on improving the educational achievement of their children and preventing future delinquent activities.</p>	
<input type="checkbox"/>	<p>Provide information on how the facility will coordinate funds received under Title I, Part D, Subpart 2, with other available local, State, and Federal funds.</p> <p>(Such as funds made available under Title I of Public Law 105-220, and vocational and technical education funds).</p>	
<input type="checkbox"/>	<p>If applicable...</p> <p>Explain how the facility will coordinate programs operated under Subpart 2 with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs.</p>	
<input type="checkbox"/>	<p>If appropriate...</p> <p>Provide information on how the facility will work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth.</p>	

Components of a Comprehensive Formal Agreement

Formal agreements need not be exclusive to LEA's and correctional facilities in Subpart 2. This table provides a list of **optional** areas to consider including in **any** agreement or contract in order to clarify expectations and responsibilities. The ability to integrate this information in an agreement may vary by State and locality.

A. Expectations and Responsibilities Upon Receipt of Funding	
<i>Consider <u>providing</u> the following types of information or documentation to the facility/education provider that offers services funded by Title I, Part D, either as supplemental materials to the agreement, or identified as requirements within the agreement itself.</i>	
1. The purpose of Title I, Part D, and all/any related statutory requirements	<ul style="list-style-type: none"> Any Federal application or program requirements
2. Any State and/or local requirements	
3. The award amount and/or other fiscal requirements	<ul style="list-style-type: none"> Budget tracking and financial reporting requirements The process for redistributing funds/materials if a facility closes
4. The related data collection and reporting expectations	<ul style="list-style-type: none"> Federal reporting requirements <ul style="list-style-type: none"> Consolidated State Performance Report (program performance data) Annual Count (for generating funds) State reporting requirements (if applicable) Timelines for reporting the data requested
5. The requirements for testing/assessing children and youth upon enrollment	
6. The monitoring process and expectations	
7. Any consequences for not meeting the requirements of the agreement	
8. The timeframe for when the agreement is in effect	<ul style="list-style-type: none"> Deadlines for renewing applications and/or agreements



B. Information About How the Funding Will Be Used

Consider *asking the facility/education provider offering Title I, Part D-funded services to supply information related to the manner in which the funding will be used.*

(Note: some of these topics overlap with the requirements for LEAs referred to in the Checklist, and are repeated here as a general reference for other subgrantees and facilities).

A description of services to be provided with the funding

- The alignment with the requirements and allowable uses of funds for the Title I, Part D, program (under Subparts 1 or 2, as applicable); for example:
 - Curriculum, hours of instruction, tutoring
 - Transition services
 - Parental involvement
 - Professional development

Note: For Subpart 2 correctional facilities and LEA subgrantees, also refer to the [Formal Agreement Checklist](#) for Title I, Part D, requirements.

A description of the children and youth that will be served

A description of the staff supported by Title I, Part D, funds

- Teacher / staff roles and qualifications
- Part-time, full time, hours expected for teachers / staff

A description or identification of the equipment/ materials to be purchased

- Purpose / relationship of materials to the services described

A budget or spending plan

- Cost of services, equipment, or materials
- A description of how funds will be blended or braided with other funding (if applicable)

C. Accountability and Assessing Outcomes of the Funding

Consider *asking the facility/education provider offering Title I, Part D-funded services to supply information related to program improvement and how the educational services provided with the funding will be assessed.*

A description of the student and program data that will be collected

- Required data and any other (facility/program) data

The frequency of data collection

The manner in which data will be collected (e.g., paper, electronic, longitudinal database, etc.)

A description of how data will be analyzed and used for program improvement



Appendix A: Comparison of Title I, Part D, Counting and Serving Requirements

Counting	Serving
State Agencies	
Children and youth COUNTED must be <ul style="list-style-type: none"> In a program for youth who are N or D, including juvenile and adult correctional facilities and community day programs^a Enrolled in a State-funded “regular program of instruction”^a Enrolled in a program that has an average length of stay of at least 30 days^b 20 years of age or younger^a 	Children and youth SERVED with Subpart 1 funds must be^c <ul style="list-style-type: none"> In a program for youth who are N or D, including juvenile and adult correctional facilities and community day programs Enrolled in a State-funded “regular program of instruction” <i>Enrolled in a program that meets the length-of-stay requirements for the given program type (requirements vary)</i> 21 years of age or younger
Local Educational Agencies	
Children and youth COUNTED must be^d <ul style="list-style-type: none"> Living in local institutions for children and youth who are N or D or adult correctional institutions <i>Living in the institution for at least 1 day during the 30-day count period</i> 5 through 17 years of age 	Children and youth SERVED with Subpart 2 funds must be^e <ul style="list-style-type: none"> Living in local institutions for children and youth who are delinquent or in adult correctional institutions; <i>eligible for services under Title I, Parts A* and C; or identified as “at risk” (e.g., migrants, immigrants, gang members, pregnant or parenting youth)</i> 21 years of age or younger

^a 34 CFR §200.91

^b ED’s Guidance for Identifying Eligible Institutions and Counting Children

^c Section E-1 of the Title I, Part D, Nonregulatory Guidance

^d Section L-2 of the Title I, Part D, Nonregulatory Guidance

^e Section N-3 of the Title I, Part D, Nonregulatory Guidance

Note: Differences in requirements to count and serve are italicized.

* See [Spotlight on the Part A Reservation and Its Relationship with Title I, Part D, by Program Type](#) for more information.



Appendix B: Glossary

adult correctional facility/institution	A facility in which persons, including youth under 21 years of age, are confined as a result of conviction for a criminal offense.
Annual Child Count	Officially called the Annual Report of Children in Institutions for Neglected or Delinquent Children, Adult Correctional Institutions, and Community Day Programs for Neglected or Delinquent Children. Also sometimes referred to as the Annual Count or October Count. A survey administered by the U.S. Department of Education's (ED's) Office of Elementary and Secondary Education (OESE) on an annual basis. For this survey, States provide a count of the number of children and youth living in State or local institutions for youth who are neglected or delinquent (N or D) and enrolled in State-run community day programs. ED uses these data to determine funding for Title I, Part A, and Title I, Part D, Subparts 1 and 2.
at-risk	When used with respect to a child, youth, designates a school-aged individual who is at risk for academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for his or her age, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.
at-risk programs	At-risk programs (operated through LEAs) target children and youth who are at risk of academic failure, have a drug or alcohol problem, are pregnant or parenting, have been in contact with the juvenile justice system in the past, are at least 1 year behind the expected age or grade level, have limited English proficiency, are gang members, have dropped out of school in the past, or have a high absenteeism rate at school.
children and youth	(1) Persons 21 years of age or younger who are entitled to a free public education through Grade 12 and (2) preschool children below the age and grade level at which a State provides free public education.
community day program	A community day program is a regular program of instruction provided by an SA at a community day school operated specifically for children and youth who are neglected or delinquent.
Consolidated State Performance Report (CSPR)	A data collection instrument administered by the U.S. Department of Education's (ED's) Office of Elementary and Secondary Education (OESE) on an annual basis. All States that received funding on the basis of the Consolidated State Application for the applicable school year must respond to the reporting requirements in the CSPR. The CSPR collects student and facility counts, demographic information (race/ethnicity, age, and gender), and academic and vocational outcomes, including performance in reading and mathematics.
delinquent	When used with respect to a child, youth, refers to an individual who resides in a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision.
delinquent facility/ institution	See definition of a juvenile correctional facility/ institution.
detention facilities	See definition for juvenile detention facility.
Elementary and Secondary Education Act (ESEA)	ESEA, first enacted in 1965, is the principal Federal law affecting K–12 education. The No Child Left Behind Act (NCLB) of 2001 is the most recent reauthorization of the ESEA.
eligibility	Whether a State or local education agency, facility, or child is allowed to participate in the Annual Count to allocate funds for the Title I, Part D, program or receive Part D funds.



foster home	While each State may define a group home differently, they are typically homes staffed by caregivers who provide 24-hour substitute care for children placed away from their parents or guardians.
formal agreement	A formal agreement is a contract that ensures that facilities will provide services that align with the Federal program requirements. Formal agreements are required between LEAs and their locally-operated correctional facilities (Section 1423 of the Title I, Part D, statute).
group home	While each State may define a group home differently, they are typically homes staffed by caregivers who provide 24-hour substitute care for children placed away from their parents or guardians and for whom the State agency has placement and care responsibility. Group homes may provide classroom instruction; arrange for work-study programs, parent consultation, and counseling; and act as a liaison to the local school system.
Individualized Education Program (IEP)	A written statement for each individual with a disability that is developed, reviewed, and revised in accordance with Section 614(d) of Individuals with Disabilities Education Act regulations.
institutionwide project (IWP)	Authorized by Section 1416 of Title I, Part D; a program that serves all children in, and upgrades the entire educational effort of, an institution or program eligible for Part D, Subpart 1, funds. The purpose of the institutionwide approach is similar to that of schoolwide programs operated under Title I, Part A. <i>Note that adult correctional institutions cannot operate IWPs.</i>
juvenile correctional facility/ institution	A public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or are in need of supervision.
juvenile detention facility	Shorter-term institutions that provide care to children who require secure custody pending court adjudication, court disposition, or execution of a court order, or that provide care to children after commitment.
Juvenile Justice and Delinquency Prevention Act	Congress enacted the Juvenile Justice and Delinquency Prevention (JJDP) (P. L. No. 93-415, 42 U.S.C. § 5601 et seq.) in 1974 and reauthorized the majority of its provisions in 2002. The JJDP mandates that states comply with four core protections to participate in the JJDP's Formula Grants program. This landmark legislation established Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and state efforts to prevent delinquency and improve the juvenile justice system. ³
local educational agency (LEA)	As defined by the No Child Left Behind Act (NCLB), any public institution or agency having administrative control and direction of a public elementary school or secondary school.
locally-operated correctional facility	A facility in which persons, including persons under 21 years of age, are confined as a result of a conviction for a criminal offense. The term also includes a local public or private institution and community day program or school not operated by the State that serves children and youth who are delinquent.
needs assessment	A needs assessment is a process by which programs identify and address the needs, or “gaps” between current conditions and desired conditions. A needs assessment should guide the development of a comprehensive program plan and help establish benchmarks for evaluating a program.

³ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention



neglected	When used with respect to a child, youth, refers to an individual who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State law due to abandonment, neglect, or death of his or her parents or guardians.
neglect facility/ institution	An institution for children and youth who are neglected. A public or private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been committed to the institution or voluntarily placed there under applicable State law due to (1) abandonment, (2) neglect, or (3) death of their parents or guardians.
No Child Left Behind Act (NCLB)	The 2002 reauthorization of the Elementary and Secondary Education Act (ESEA). NCLB aims to help schools improve by focusing on accountability for results, freedom for States and communities, proven education methods, and choices for parents.
privately-operated N or D facility	A private residential facility, other than a foster home, that is operated primarily for the care of children and youth who have been (a) adjudicated delinquent or are in need of supervision, or (b) committed to the institution or voluntarily placed there under applicable State law due to abandonment, neglect, or death of their parents or guardians.
regular program of instruction	An educational program (not beyond Grade 12) in an institution or a community day program for children who are neglected or delinquent that consists of classroom instruction in basic school subjects, such as reading, mathematics, and vocationally oriented subjects, and that is supported by non-Federal funds. Neither the manufacture of goods within the institution nor activity related to institutional maintenance is considered classroom instruction.
State Agency (SA)	An agency of State government responsible for providing free public education to children in institutions for children who are neglected or delinquent, in community day programs for children who are neglected or delinquent, and in adult correctional institutions.
State educational agency (SEA)	The State board of education or other agency or officer primarily responsible for the State supervision of public elementary schools and secondary schools or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.
Title I	Reauthorized with the No Child Left Behind Act of 2001; the largest Federal program supporting elementary and secondary education. The purpose of this program is to help ensure that all children have the opportunity to obtain a high-quality education and reach proficiency in challenging State standards and assessments.
Title I, Part A	Also called Improving Basic Programs Operated by Local educational agencies. Provides financial assistance through SEAs to LEAs and schools with high numbers or high percentages of poor children, to help ensure that all children meet challenging State academic standards.
Title I, Part D	Also called The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk. Provides financial assistance to educational programs for youth in State-operated institutions or community day programs. The Title I, Part D, program also provides financial assistance to support school districts' programs involving collaboration with locally-operated correctional facilities.
training/technical assistance (T/TA)	The process of collaborating with and communicating with stakeholders (i.e., subgrantees and facilities) to provide support, guidance and assistance. T/TA can come in many forms including, Webinars, onsite conferences, one-on-one phone calls and e-mails.